

REMARKS

The Examiner's Action mailed on January 16, 2004, has been received and its contents carefully considered.

In this Amendment, Applicants have amended claim 1 to include the subject matter of only claim 2, amended claims 3 and 4 to change their dependency to claim 1, and canceled claims 2 and 12. Claim 1 is the independent claim. Claims 1, 3-6 and 9-11 remain pending in the application. For at least the following reasons, it is submitted that this application is in condition for allowance.

The Examiner has rejected claims 1-6 and 12 as being anticipated by *Tono* (JP 2000-211531). Because claims 2 and 12 have been canceled, Applicants will treat this rejection as pertaining only to pending claims 1 and 3-6. It is submitted that these claims are patentably distinguishable over the cited reference for at least the following reasons.

It is well settled that a reference may anticipate a claim within the purview of 35 U.S.C. §102 only if all the features and all the relationships recited in the claim are taught by the reference structure either by clear disclosure or under the principle of inherency.

Applicants' independent claim 1 is directed to a tilt steering apparatus which includes, *inter alia*, a cam surface and a cam follower which are relatively rotated to cause an edge of the cam follower to be brought into sliding, and non-rotating contact with the cam surface as a lock lever is rotated. The cam surface includes a locking position, a releasing position and an intermediate position disposed between the locking and releasing positions. The intermediate position includes a plurality of slopes

which include at least two linear and adjacent slopes corresponding to a rotation slope position of the lock lever. The at least two linear slopes slope upwards in a same, and a first direction, and are connected together at a protruding portion that projects toward the cam follower. Further, a second one of the two slopes is gentler than a first one of the two slopes. When the locking lever is rotated in a locking direction (i.e., the first direction), the cam follower slides from the more steep first slope to the more gentle second slope.

Applicants' claimed invention thus allows a user that is locking the steering apparatus to easily perceive the difference of power necessary for locking the apparatus. Other advantages are discussed in Applicants' specification. This claimed configuration is not disclosed (or suggested) by the cited reference.

Tono disclose a cam having a surface that is divided into three sections. As shown in the attached enlarged Figures, these sections include a flat section 18a, a sloped section 18b, and a flat section 18c. The sloped section 18b is disposed between the two flat sections 18a and 18c.

However, and in contrast to the present invention, this reference does not disclose (or suggest) a cam surface having an intermediate position disposed between a locking position and a releasing position, with the intermediate position including a plurality of slopes including at least two linear and adjacent slopes corresponding to a rotation stroke position of the lock lever, as recited in claim 1. Instead, slope 18b of the cited reference is comprised of only one linear slope.

Moreover, this reference does not disclose (or suggest) at least two slopes that slope upward in a same direction and that are connected together at a protruding

portion that projects toward the cam follower. Instead, and as previously noted, this reference only discloses one intermediate slope 18b.

Further, the cited reference does not disclose (or suggest) that a second one of two slopes is gentler than a first one of the two slopes, and that the cam follower slides from the first, steeper slope of the cam surface to the second, gentler slope thereof when the lock lever is rotated in the locking direction, as recited in claim 1. Instead, and as previously noted, this reference only discloses one intermediate slope 18b which is disposed between two flat sections 18a and 18c. As such, it is respectfully submitted that the Examiner's Action has failed to establish a *prima facie* case of anticipation against at least original claim 2, the subject matter of which has been amended into independent claim 1. It is thus requested that claim 1, and the claims dependent therefrom, be allowed, and that this rejection be withdrawn.

The Examiner has rejected claims 4 and 9-11 as being obvious over *Tono* in view of *Hancock* (USP 5,377,555). It is submitted that these claims are patentably distinguishable over the cited reference for at least the following reasons.

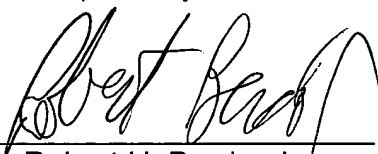
Claims 4 and 9-11 depend from independent claim 1. Moreover, *Hancock* does not overcome the above-noted deficiencies of *Tono*. That is, *Hancock* discloses a steering column clamping mechanism in which a roller 11 is brought into rolling engagement with a surface of a cam 10. This reference discloses that when the lock lever is rotated in a locking direction, the cam roller moves from the unclamped position 10B, which is referred to in claim 1 of this patent as a first zone, and which has a gentle slope, through the zone 10D which has a steeper slope. However, this arrangement is in contrast to the recitation within claim 1, which requires that when the lock lever is

rotated in the locking direction, that the cam follower slides from the first, steeper linear slope of the cam surface to the adjacent second, gentler linear slope thereof. As such, it is submitted that Applicants' claims are *prima facie* patentably distinguishable over the cited combination of references. It is requested that this rejection be withdrawn and that these claims be allowed.

It is submitted that this application is in condition for allowance. Such action and the passing of this case to issue are requested.

Should the Examiner feel that a conference would help to expedite the prosecution of the application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Respectfully submitted,



Robert H. Berdo, Jr.
RABIN & BERDO, PC
Registration No. 38,075
Customer No. 23995
Telephone: 202-371-8976
Facsimile: 202-408-0924

April 12, 2004
Date

RHB:crh

AMENDMENT

09/925,968